

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,)	
Plaintiff/Defendant-in-Counterclaim)	
)	
v.)	Civil Action No. 05-CV-10506 (WGY)
)	
J.P. MORGAN CHASE BANK, as Trustee for)	
the Registered Holders of Credit Suisse First)	
Boston Mortgage Securities Corp., Commercial)	
Mortgage Pass-Through Certificates, Series 1999-C1)	
Defendant)	
)	
and CSFB 1999 – C1 ROYALL STREET, LLC)	
Defendant/Plaintiff-in-Counterclaim)	
)	
and)	
)	
WILLIAM LANGELIER and GERALD FINEBERG)	
Defendants-in-Counterclaim)	
)	

AFFIDAVIT NO. 2 OF PETER B. McGLYNN

Peter B. McGlynn, on oath, deposes and states as follows:

1. I am a partner in the firm of Bernkopf Goodman LLP, which maintains a business address at 125 Summer Street, Boston, Massachusetts and am a member in good standing of the Massachusetts bar. I am lead trial counsel for the plaintiff Blue Hills Office Park LLC (“Blue Hills”) and the defendants-in-counterclaim William Langelier (“Langelier”) and Gerald Fineberg (“Fineberg”). This affidavit is being submitted in connection with the Reply Memorandum of Blue Hills Office Park LLC, Gerald Fineberg and William Langelier in Further Support of Their Motion for Summary Judgment (the “Reply Memorandum”). I am making this affidavit solely for the purpose of authenticating certain documents, including correspondence, financial records, exhibits, discovery responses and other documents in connection with the Reply Memorandum.
2. Wells Fargo Bank produced a voluminous amount of documents, correspondence and financial records during the discovery phase of the above-referenced action. Included among the

documents produced were, without limitation, rent rolls, income and expense statements, correspondence and other financial documents. The delineated documentation which had been submitted to Wells Fargo by Blue Hills Office Park LLC (“Blue Hills”) in the period following the close of the Loan on or about September 14th, 1999 until approximately August, 2004. The summarized documents total approximately forty-five pages.

3. Pursuant to Rule 1006 of the Federal Rules of Evidence, attached hereto as Exhibit “A” is a chart summarizing the following documents produced by Wells Fargo:

- Financial records, rent rolls and other documents submitted by Blue Hills to Wells Fargo; and,
- Correspondence from Wells Fargo to Blue Hills requesting certain financial and other information and Blue Hills’ response, if any, thereto.

Exhibit “A” also indicates, where applicable, periods for which no pertinent documentation has been produced by Wells Fargo.

4. Copies of the summarized documents are available for examination and copying. Upon request, copies of all, or any, of the documents will be provided to the Court.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 12th DAY OF JUNE, 2006.

/s/ Peter B. McGlynn

Peter B. McGlynn

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Exhibit A

Report Period	Date Record Generated	Description of Record
4 th Quarter or Year End 1999	04/13/00	Blue Hills' Income & Expenses Statement
1st Quarter 00	04/13/00	Blue Hills' Rent Roll
	04/18/00	Letter from Blue Hills to Wells Fargo accompanying 4th Quarter 99 report with certification by Gilbert Stone of Blue Hills
	04/28/00	Blue Hills' Income & Expenses Statement
	04/28/00	YTD Asset & Liability Statement
2nd Quarter 00	06/29/00	Blue Hills' Rent Roll
	07/18/00	Letter from Wells Fargo to Blue Hills requesting Financial Statements, Income & Expense Statement and Current Rent Roll
	07/27/00	Blue Hills' Income & Expenses Statement
	07/27/00	Blue Hills' YTD Asset & Liability Statement and Rent Roll
3rd Quarter 00		NOTHING IN RECORDS
4th Quarter 00		NOTHING IN RECORDS
1st Quarter 01		NOTHING IN RECORDS
2nd Quarter 01		NOTHING IN RECORDS
3rd Quarter 01	9/28/01	Blue Hills' Rent Roll
	10/24/01	Blue Hills' Income & Expenses Statement
4th Quarter 01	12/31/01	Blue Hills' Rent Roll
	04/09/02	Blue Hills' Income & Expenses Statement
	04/9/02	Blue Hills' YTD Asset & Liability Statement
1st Quarter 02	04/22/02	Blue Hills' Income & Expenses Statement
	04/25/02	Letter from Price Waterhouse to Blue Hills requesting 1st Quarter 2002 financials including Income & Expense Statement and Current Rent Roll
2nd Quarter 02	05/08/02	Fax cover page (without enclosures) to Price Waterhouse from Blue Hills indicating 4 pages total faxed
3rd Quarter 02		NOTHING IN RECORDS
4th Quarter 02		NOTHING IN RECORDS
1st Quarter 03	02/19/03	Blue Hills' Income & Expenses Statement and YTD Asset & Liability Statement
2nd Quarter 03	6/30/03	Blue Hills' Rent Roll

	07/07/03	Blue Hills' Income & Expenses Statement
	7/31/03	Letter from Price Waterhouse to Blue Hills requesting Financial Statement, Income & Expense Statement and Current Rent Roll
	08/11/03	Fax coversheet (without enclosures) from Blue Hills to Price Waterhouse indicating 5 pages total faxed
3rd Quarter 03	10/06/03	Blue Hills' Income & Expenses Statement
	11/11/03	Blue Hills' Rent Roll
	11/14/03	Fax cover sheet from Blue Hills to Price Waterhouse indicating 5 pages total faxed
4th Quarter 03	12/31/03	Blue Hills' Rent Roll
	01/07/04	Blue Hills' Income & Expenses Statement
1st Quarter 04	2/13/04	Letter from Wells Fargo to Blue Hills requesting 2003 Income & Expense Statement and Current Rent Roll
	3/31/04	Blue Hills' Rent Roll
	03/31/04	Email from Wells Fargo to LNR referencing "Year End 2003" attachments of Blue Hills financial statement, rent roll and October 2003 property inspection
	04/06/04	Blue Hill's Income & Expenses Statement
	04/23/04	Letter from Wells Fargo to Blue Hills requesting year-to-date or trailing twelve months Income & Expense Statement and Current Rent Roll
	05/10/04	Fax coversheet (without enclosures) from Blue Hills indicating 4 pages total faxed
2nd Quarter 04	06/30/04	Blue Hills' Rent Roll
	7/27/04	Blue Hills' Income & Expenses Statement
	08/04/04	Letter from Wells Fargo to Blue Hills requesting year-to-date or trailing twelve months Income & Expense Statement and Current Rent Roll
	08/12/04	Fax coversheet (without enclosures) from Blue Hills indicating 4 pages total faxed
3rd Quarter 04		NOTHING IN RECORDS
4 th Quarter 04		NOTHING IN RECORDS